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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

**FILED**

CRIMINAL

v.

AKHIL BANSAL

DEC 13 2007

NO. 05-cr-193-2

UNITED STATES OF AMERICA

CIVIL ACTION

v.

AKHIL BANSAL

MICHAEL E. KUNZ, Clerk

By \_\_\_\_\_

Dep. Clerk

NO. 07-cv-4994

**MEMORANDUM AND ORDER**

On November 27, 2007, defendant attempted to file a document in 05-cr-193-2, which he styled as a "Motion to Dismiss Multiplicitous Counts Based on Double Jeopardy Clause of the Constitution." Due to an inadvertent clerical error, this document was erroneously opened by the Office of the Clerk as seeking Habeas Corpus relief pursuant to 28 U.S.C. §2241, and was erroneously labeled as Document #1 in a new civil action called "07-cv-4994." The purpose of this Memorandum and Order is to correct this inadvertent clerical error. Accordingly, this Day of December, 2007, it is hereby **ORDERED** as follows.

1. The Clerk of this Court shall make one accurate photocopy of the aforesaid document filed on November 27, 2007.
2. The Clerk of this Court shall then place the original copy of this aforesaid document in the casefile for 05-cr-193-2, and the docket in 05-cr-193-2 shall be corrected to reflect that this document was filed in 05-cr-193-2 on November 27, 2007.
3. The Clerk of this Court shall then place the photocopy of the aforesaid document in the casefile for 07-cv-4994.
4. The Clerk of this Court shall then make one accurate photocopy of this Memorandum and Order.
5. The Clerk of this Court shall then place the original copy of this Memorandum and Order in the casefile for 05-cr-193-2, and the filing of

**ENTERED**  
DEC 13 2007  
**CLERK OF COURT**

this Memorandum and Order shall be placed on the docket for 05-cr-193-2 in the standard manner.

6. The Clerk of this Court shall then place the photocopy of this Memorandum and Order in the casefile for 07-cv-4994, and the filing of this Memorandum and Order shall be placed on the docket for 07-cv-4994 in the standard manner.
7. 07-cv-4994 is **DISMISSED WITHOUT PREJUDICE**.
8. The Clerk of this Court shall mark 07-cv-4994 as **CLOSED** for all purposes, including statistics.

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**S/ PAUL S. DIAMOND**  
**PAUL S. DIAMOND, U.S. District Judge**

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NO. 07-cv-4994


**ORDER**

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3. The Clerk of this Court shall then place the photocopy of the aforesaid document in the casefile for 07-cv-4994.
4. The Clerk of this Court shall then make one accurate photocopy of **this** Memorandum and Order.
5. The Clerk of this Court shall then place the original copy of this Memorandum and Order in the casefile for 05-cr-193-2, and the filing of

this Memorandum and Order shall be placed on the docket for 05-cr-193-2 in the standard manner.

6. The Clerk of this Court shall then place the photocopy of this Memorandum and Order in the casefile for 07-cv-4994, and the filing of this Memorandum and Order shall be placed on the docket for 07-cv-4994 in the standard manner.
7. 07-cv-4994 is **DISMISSED WITHOUT PREJUDICE**.
8. The Clerk of this Court shall mark 07-cv-4994 as **CLOSED** for all purposes, including statistics.

  
\_\_\_\_\_  
PAUL S. DIAMOND, U.S. District Judge

**ENTERED**  
**DEC 13 2007**  
**CLERK OF COURT**